

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION :
Plaintiff, : Case No: 07-CV-11387 (DLC)
v. : DECLARATION OF
BRIAN N. LINES, et al., : MARIO AIETA IN SUPPORT
Defendants. : OF THE MOTION TO DISMISS
: OF WAYNE E. WEW
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MARIO AIETA, declares under penalty of perjury:

1. I am an attorney admitted to practice in the State of New York and before this court and I am a member of the law firm of Satterlee Stephens Burke & Burke LLP, attorneys for defendant Wayne E. Wew (“Wew”), sued herein as Wayne E. Wile. I submit this declaration in support of Mr. Wew’s motion for to dismiss the complaint against him.

2. Attached hereto as Exhibit A is the affidavit Dr. Georg L. Lehner, a Swiss attorney and member of the Zurich bar acting on behalf of Mr. Wew on Swiss legal issues in Switzerland.

3. Defendant Wew submits the affidavit of Dr. Lehner in support of his motion to dismiss although the affidavit does not comport with the requirements of 28 U.S.C. § 1746 because there was insufficient time to obtain either a declaration comporting with 28 U.S.C. § 1746 or a statement from the Swiss Ministry of Justice.

4. In paragraphs 4 and 5 of his affidavit, Dr. Lehner describes the status of his efforts to protest the service of process by email on Mr. Wew’s behalf to the Swiss Ministry of Justice. Subsequent to our receipt of Dr. Lehner’s affidavit I was contacted by his office and

was told that this afternoon his associate spoke with the Swiss Ministry Justice which advised that it would not examine Mr. Wew's protest because it had been presented with insufficient information.

I declare under penalty of perjury that the foregoing is true and correct.

September 2, 2009



A handwritten signature in black ink, appearing to read "Aieta", is written over a horizontal line. Below the line, the name "Mario Aieta" is printed in a standard font.